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10 UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF WASHINGTON  
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

2:22-CR-00052-TOR-5

15 v.

16 JONAH PIERCE,

17 Defendant.

United States' Sentencing  
Memorandum

18 Plaintiff, United States of America, by and through Vanessa R. Waldref, United  
19 States Attorney for the Eastern District of Washington, Patrick J. Cashman, Assistant  
20 United States Attorney for the Eastern District of Washington, respectfully submits  
21 the following Sentencing Memorandum. The United States recommends the Court  
22 sentence the Defendant to a term of 6 months imprisonment, followed by a 1 year  
23 term of supervised release. The United States' sentencing recommendation is a  
24 reasonable sentence that is no greater than necessary to meet the interests of federal  
25 sentencing principles.

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1 I. Background

2 The United States relies on the facts provided in the plea agreement and the  
3 United States Probation Office's (USPO) Pre-Sentence Investigation Report (PSIR)  
4 and Addendum. (ECF Nos. 182, 211, 212). The United States reserves the ability to  
5 present additional facts as necessary at the sentencing hearing to address any of the  
6 Court's concerns.

7 II. Base Offense Level & Enhancements

8 The United States concurs with the USPO's calculation of an adjusted offense  
9 level of 10. ECF No. 211, ¶130. The United States further concurs the Defendant's  
10 Criminal History Category is a I. *Id.* Accordingly, the Defendant's advisory guideline  
11 range is properly calculated at 6 to 12 months. *Id.*

12 III. Defendant's PSIR Objections

13 The parties did not file objections to the PSIR.

14 IV. Departures

15 The United States submits a downward departure or variance is not warranted  
16 in this case.

17 V. 18 U.S.C. § 3553(a)

18 When applying the 18 U.S.C. § 3553(a) factors, a sentence of 6 months  
19 imprisonment, followed by 1 year of supervised release is appropriate. The United  
20 States submits such a sentence is fair and no greater than necessary to satisfy the  
21 interests of federal sentencing principles.

22 a. Nature, Circumstances, and Seriousness of the Offense:

23 The nature and circumstances of this case warrant a punitive sentence. It is  
24 without a doubt the Defendant's acts were serious and egregious. The Defendant used  
25 his position to obtain a significant amount of military ammunition and other  
26 government property for his own personal use. The Defendant's actions undermined  
27 the good order and discipline of the force and seriously impacted the image of the  
28 United States Air Force to the public. The actions of the Defendant, and his co-

1 Defendants, undermined the trust and confidence the taxpayers place in our  
2 servicemembers. In short, the Defendant's greed was not limited to simply impacting  
3 the ammunition stores of his unit but hurt the image and stature the United States Air  
4 Force as a whole in the eyes of the public. The nature, circumstances, and seriousness  
5 of this offense warrants a sentence of 6 months.

6 Accordingly, when considering the totality of the nature, circumstances, and  
7 seriousness of the Defendant's actions, a punitive sentence is reasonable and  
8 appropriate to reflect the gravity of the Defendant's criminal acts.

9 b. Characteristics and Criminal History of Defendant:

10 The Defendant has no criminal history aside from the current conviction. The  
11 Defendant also had previously served in the United States Air Forces until his arrest  
12 on these criminal offenses. As a result of this conviction, he was or will be  
13 administratively separated from the United States Air Force with an other than  
14 honorable characterization of service.

15 c. Public Safety, Deterrence, and Consistency of Sentences:

16 Again, the United States notes a serious sentence that is reflective of the nature  
17 and egregiousness of the Defendant's actions is warranted. Moreover, the Defendant  
18 has received a substantial benefit from the United States with his plea to a  
19 misdemeanor offense. The United States recommends six months incarceration  
20 because co-Defendant Eric Eagleton, who plead guilty to a felony offense, received a  
21 sentence of six months.

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1 d. Rehabilitation and Programming:

2 A sentence of one year supervised release is further appropriate as it will  
3 provide the Defendant the ability to utilize resources for vocational training and  
4 treatment.

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6 Dated: June 22, 2023.

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8 Vanessa R. Waldref  
United States Attorney

9 s/ Patrick J. Cashman  
10 Patrick J. Cashman  
11 Assistant United States Attorney  
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**CERTIFICATE OF SERVICE**

I hereby certify that on June 22, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Bryan Whitaker

*s/ Patrick J. Cashman*

Patrick J. Cashman  
Assistant United States Attorney